

REMARKS

Claims 1-3, 5-15, 27, 28, 30, 32-34, 36, 37, 39-45, and 47-50 are pending. Applicants thank the Examiner for indicating that claims 12 and 13 recite allowable subject matter (Applicant notes that claims 14 and 44 were not rejected, and therefore, also contain allowable subject matter), however, Applicant respectfully presents that each of the pending claims are allowable over the cited art. Reconsideration of the previous rejections over the prior art references is respectfully requested in view of the foregoing amendments.

I. Election/Restriction

This Office Action requires the Applicant to elect the species of Fig. 1 or the species of Fig. 2 for prosecution at this time. Applicant elects the species of Fig. 2. As described in the present specification at, for example, Paragraphs [0020]-[0021] of the published application, the distinction between the embodiments of Figs. 1 and 2 is the shape of face 20, i.e., planar and curved, respectively.

Applicant respectfully presents that only claims 8 and 48 read specifically on the elected species and each of claims 1-3, 5-7, 9-15, 27, 28, 30, 32-34, 36, 37, 39-45, 47, and 50 are generic. Applicant reminds the Examiner that should a generic claim be found to be allowable, Applicant is entitled to consideration of additional species. Thus, as generic claims 12 and 13 were indicated as being allowable, Applicant respectfully requests consideration of the claims read on the species of Fig. 1.

Claims 47 and 48 stand withdrawn from consideration as allegedly being directed to a non-elected invention. The Office Action asserts (1) that claims 47 and 48 are directed to the embodiment of Fig. 2, and (2) the claims originally presented are directed to the species of Fig. 1. However, as only claims 8 and 48 of the previously presented claims recite the shape of the face, Applicant respectfully submits that (other than claims 8 and 48) the previously presented claims are generic to both Fig. 1 and Fig. 2. Moreover, as Applicants have elected the species of Fig. 2, reconsideration is respectfully requested.

II. Claims 15 and 44

As claims 15 and 44 are not subject to any rejections in the present Office Action, these claims have been amended in independent form including each of the features recited by the respective claims from which each depends.

III. 35 USC § 112

Claim 12 stands rejected under 35 USC § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim that which is considered the invention. In response, claim 12 has been amended to clarify that the pad has a hollow core, as is identified with reference number 23 in Figs. 1-3 and 5.

IV. 35 USC § 103

Claims 1, 2, 3, 5-11, 14, 27, 28, 30, 32-34, 36, 37 and 39-43 stand rejected under 35 USC § 103(a) as allegedly being unpatentable over Margarit (U.S. Patent No. 5,979,132) in view of DeGraan (U.S. Patent No. 4,655,009) and Hickler (U.S. Patent No. 2,456,006). The Office Action asserts Margarit teaches each feature of the claims, except for (1) a surface formed of thermosetting resin sheet; (2) a resilient pad coupled to the floating floor engaging surface; (3) the pad formed of natural or synthetic rubber, compressed open cell foam plastic, closed cell foamed plastics, elastomer polymer materials or hollow core polymeric materials; and (4) the pad resiliently forms a moisture tight seal when installed. The Office Action relies on DeGraan and Hickler for such disclosures. In light of the amendments to the claims and the remarks which follow, reconsideration is respectfully requested.

A. "Preformed Pad"

As amended, the present claims recite that the pad is "preformed." In other words, according to the present claims, the molding is manufactured such that it is not necessary to form or join the pad or the molding at or during installation. As none of the cited references teach or suggest to provide a preformed pad, Applicants respectfully present that the present claims are allowable over the cited references.

B. Claims 11 and 28

Present claims 11 and 28 recite that the pad is formed from a “material that is one of a closed cell foamed plastic or an open cell foamed plastic.” The Office Action notes that the sealant of DeGraan is a plastic, specifically isobutylene. However, there is no teaching or suggestion to modify this plastic to be either “a closed cell foamed plastic or an open cell foamed plastic” as presently recited.

C. Claims 2, 37 and 42

Claims 2, 37 and 42 (and the claims depending therefrom) each recite the presence of an adhesive between the molding and the pad. As none of the cited references teach or suggest an adhesive between the molding and the pad, Applicant respectfully presents that no *prima facie* case of obviousness has been made. Reconsideration is respectfully requested.

D. Claims 32 and 33

Claim 32 recites the step of applying a sealant to opposite longitudinal ends of the molding, e.g., at the first and second *ends* of the molding. As none of the cited references teach or suggest sealing the longitudinal ends of the molding, Applicant respectfully presents that no *prima facie* case of obviousness has been made.

Claim 33 depends from claim 32 and recites that the sealant is a silicone sealant. The Office Action alleges that “the sealant” is a silicone. However, the Office Action fails to identify to which sealant it is referring. The only “sealant” otherwise discussed in the Office Action is sealant 19 of DeGraan. However, the Office Action has stated that sealant 19 of DeGraan is the presently recited pad. In contrast, the present claims recite a first structure as the pad, and an additional structure as the sealant. Thus, the sealant 19 of DeGraan cannot be both the presently recited pad and sealant.

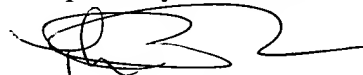
Moreover, the Office Action erroneously interprets the identity of the sealant of DeGraan. As described at column 2, line 40, sealant 19 of DeGraan is isobutylene. The Office Action asserts that such a sealant meets the feature recited by present claim 33, i.e., a silicone sealant. Applicant does not take issue with the definition of silicone presented in the Office Action (i.e., an organic

silicon compound), but with the application thereof. Specifically, as is understood by those of basic skill in the art, isobutylene is a hydrocarbon having an empirical formula of $(\text{CH}_3)_2\text{CCH}_2$. Thus, isobutylene contains no Si, i.e., silicon. See, definition of "isobutylene" from McGraw Hill's Dictionary of Scientific and Technical Terms (Attachment A), and the Periodic Table of the Elements (Attachment B). As none of the cited references teaches or suggests a *silicone* sealant in combination with the other recited features, Applicant respectfully presents that no *prima facie* case of obviousness for claim 33 has been made.

IV. Conclusion

In view of the above, it is respectfully submitted that all objections and rejections are overcome. Thus, a Notice of Allowance is respectfully requested. If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below. If any fee is necessary to make this paper timely and/or complete, it may be deducted from the undersigned's deposit account no. 19-4375.

Respectfully submitted,



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TPP/EPR
Attorney Docket No.: TPP 31390

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Date: March 1, 2009

AMENDMENT
Page 13



U.S. Appl. No. 09/920,855

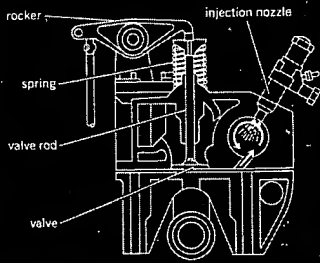
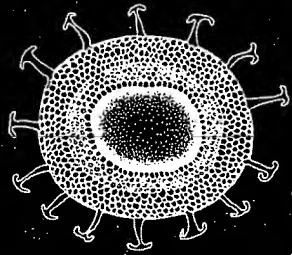
ATTACHMENT A - Definition of "isobutylene"

ATTACHMENT B - Periodic Table of the Elements

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McGraw-Hill

Dictionary of Scientific and Technical Terms



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In addition, material has been drawn from the following references: R. E. Huschke, *Glossary of Meteorology*, American Meteorological Society, 1959; *U.S. Air Force Glossary of Standardized Terms*, AF Manual 11-1, vol. 1, 1972; *Communications-Electronics Terminology*, AF Manual 11-1, vol. 3, 1970; W. H. Allen, ed., *Dictionary of Technical Terms for Aerospace Use*, 1st ed., National Aeronautics and Space Administration, 1965; J. M. Gilliland, *Solar-Terrestrial Physics: A Glossary of Terms and Abbreviations*, Royal Aircraft Establishment Technical Report 67158, 1967; *Glossary of Air Traffic Control Terms*, Federal Aviation Agency; *A Glossary of Range Terminology*, White Sands Missile Range, New Mexico, National Bureau of Standards, AD 467-424; *A DOD Glossary of Mapping, Charting and Geodetic Terms*, 1st ed., Department of Defense, 1967; P. W. Thrush, comp. and ed., *A Dictionary of Mining, Mineral, and Related Terms*, Bureau of Mines, 1968; *Nuclear Terms: A Glossary*, 2d ed., Atomic Energy Commission; F. Casey, ed., *Compilation of Terms in Information Sciences Technology*, Federal Council for Science and Technology, 1970; *Glossary of Stinfo Terminology*, Office of Aerospace Research, U.S. Air Force, 1963; *Naval Dictionary of Electronic, Technical, and Imperative Terms*, Bureau of Naval Personnel, 1962; *ADP Glossary*, Department of the Navy, NAVSO P-3097.

McGRAW-HILL DICTIONARY OF SCIENTIFIC AND TECHNICAL TERMS
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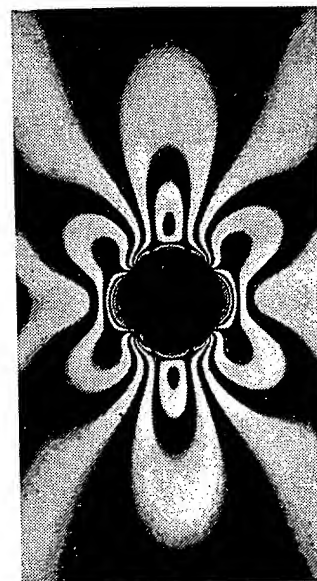
10 9 8 7 6 5 4 3

Library of Congress Cataloging in Publication Data

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1. Science—Dictionaries. 2. Technology—Dictionaries. I. Lapedes, Daniel N., ed. II. Title: Dictionary of scientific and technical terms.
Q123.M15 503 74-16193
ISBN 0-07-045257-1

ISOCHROMATIC FRINGE PATTERN



Isochromatic fringe pattern for plate with hole. (From M. M. Frocht, *Photoelasticity*, vol. 2, Wiley, 1948)

ISOCHRONOUS GOVERNOR

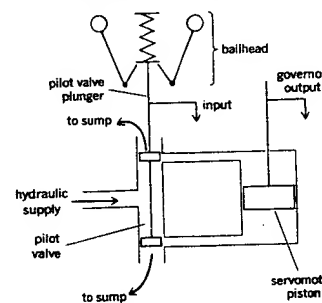
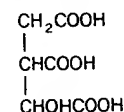


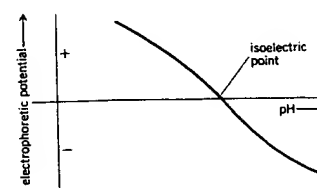
Diagram of isochronous governor

ISOCITRIC ACID



Structural formula of isocitric acid.

ISOELECTRIC POINT



Graph showing the isoelectric point where particles are electrophoretically inert.

insoluble in water; boils at 64°C; used as a chemical intermediate. Also known as isobutyraldehyde.

isobutyl carbinol [ORG CHEM] $(\text{CH}_3)_2\text{CH}(\text{CH}_2)_2\text{OH}$ Colorless liquid with pungent taste and disagreeable aroma; soluble in alcohol and ether, slightly soluble in water; boils at 132°C; used as a chemical intermediate and solvent, and in pharmaceutical products and medicines. Also known as isomyl alcohol; 3-methyl-1-butanol; primary isoamyl alcohol.

isobutylene [ORG CHEM] $(\text{CH}_3)_2\text{CCH}_2$ Flammable, colorless, volatile liquid boiling at -7°C; easily polymerized; used in gasolines, as a chemical intermediate, and to make butyl rubber. Also known as isobutene; 2-methylpropene.

isobutyraldehyde See isobutyl aldehyde.

isobutyric acid [ORG CHEM] $(\text{CH}_3)_2\text{CHCOOH}$ Colorless liquid boiling at 154°C; soluble in water, alcohol, and ether; used as a chemical intermediate and disinfectant, in flavor and perfume bases, and for leather treating.

isobutyryl [ORG CHEM] $(\text{CH}_3)_2\text{C}\cdot\text{CHO}$ The radical group from isobutyric acid, $(\text{CH}_3)_2\text{CHCOOH}$.

isocarb [GEOCHEM] A line on a map that connects points of equal content of fixed carbon in coal.

isocarpic [BOT] Having the same number of carpels and perianth divisions.

isoceraunic [METEOROL] Indicating or having equal frequency or intensity of thunderstorm activity. Also spelled isokeraunic.

isoceraunic line [METEOROL] A line drawn through geographical points at which some phenomenon connected with thunderstorms has the same frequency or intensity; used for lines of equal frequency of lightning discharges.

isocercal [VERT ZOO] Of the tail fin of a fish, having the upper and lower lobes symmetrical and the vertebral column gradually tapering.

isochasm [GEOPHYS] A line connecting points on the earth's surface at which the aurora is observed with equal frequency. Also known as isaurora.

isochela [INV ZOO] 1. A chela having two equally developed parts. 2. A chelate spicule with both ends identical.

isochemical metamorphism [PETR] Theoretically, a metamorphism involving no great change in its chemical composition. Also known as treptomorphism.

isochemical series [PETR] A series of rocks with identical chemical compositions.

isochor See isochore.

isochore [PHYS] A graph that shows the variation of one quantity with another; for example, the variation of pressure with temperature, when the volume of the substance is held constant. Also known as isochor; isometric.

isochoric [PHYS] Taking place without change in volume. Also known as isovolumic.

isochromatic [OPTICS] 1. Pertaining to a variation of certain quantities related to light (such as density of the medium through which the light is passing, index of refraction), in which the color or wavelength of the light is held constant. 2. Pertaining to lines connecting points of the same color.

isochromatic fringe pattern [OPTICS] A pattern of bands, each of uniform color, observed when a plate is placed in a polariscope and subjected to stress, making it birefringent.

isochromosome [CYTOL] An abnormal chromosome with a medial centromere and identical arms formed as a result of transverse, rather than longitudinal, splitting of the centromere.

isochronal test [PETRO ENG] Short-time back-pressure test for low-permeability reservoirs that otherwise require excessively long times for pressure stabilization when wells are shut in.

isochrone [PHYS] A line on a chart connecting all points having the same time of occurrence of particular phenomena or of a particular value of a quantity.

isochronism [MECH] The property of having a uniform rate of operation or periodicity, for example, of a pendulum or watch balance.

isochronon [HOROL] A clock designed to keep very accurate time.

isochronous [PHYS] Having a fixed frequency or period.

isochronous circuits [ELEC] Circuits having the same resonant frequency.

isochronous governor [MECH ENG] A governor that keeps the speed of a prime mover constant at all loads. Also known as astatic governor.

isocitric acid [BIOCHEM] $\text{HOOCCH}_2\text{CH}(\text{COOH})\text{CH}(\text{OH})\text{COOH}$ An isomer of citric acid that is involved in the Krebs tricarboxylic acid cycle in bacteria and plants. Also known as 2-hydroxy-1,2,3-propane-tricarboxylic acid.

isoclasite [MINERAL] $\text{Ca}_2(\text{PO}_4)(\text{OH})\cdot 2\text{H}_2\text{O}$ A white mineral composed of a basic hydrous calcium phosphate; occurring in small crystals or columnar forms.

isoclinal See isoclinic line.

isoclinical chart [GEOPHYS] A chart showing isoclinic lines. Also known as isoclinic chart.

isocline [GEOL] A fold of strata so tightly compressed that parts on each side dip in the same direction.

isoclinic chart See isoclinical chart.

isoclinic line [GEOPHYS] A line connecting points on the earth's surface which have the same magnetic dip. Also known as isoclinal. [SOLID STATE] A line joining points in a plate at which the principal stresses have parallel directions.

isococoncentration [CHEM ENG] Constant concentration values.

isococoncentration map [CHEM ENG] Map or diagram of a liquid or gas system's concentration with respect to a single component of the system, shown by constant-concentration contour lines.

isocrackate [MATER] The liquid products of the process of isocracking.

isocracking [CHEM ENG] A hydrocracking process for conversion of hydrocarbons into more valuable, lower-boiling products; operates at relatively low temperatures and pressures in the presence of hydrogen and a catalyst.

isocrinida [INV ZOO] An order of stalked articulate echinoderms with nodal rings of cirri.

isocyanate [ORG CHEM] 1. One of a group of neutral derivatives of primary amines; its formula is $\text{R}-\text{N}=\text{C}=\text{O}$, where R may be an alkyl or aryl group; an example is 2,4-toluene diisocyanate. 2. Any compound containing the $-\text{N}=\text{L}=\text{O}$ radical.

isocyanate resin [ORG CHEM] A linear alkyd resin lengthened by reaction with isocyanates, then treated with a glycol or diamine to cross-link the molecular chain; the product has good abrasion resistance.

isocyanic acid [ORG CHEM] $\text{HN}=\text{C}=\text{O}$ One of two forms of cyanic acid; a gas used as an intermediate in the preparation of polyurethane and other resins.

isocyanine [ORG CHEM] Any one of a series of dyes whose structure has two heterocyclic or quinoline rings connected by an odd number chain of carbon atoms containing conjugated double bonds; for example, cyanine blue.

isocyanuric acid See fulminuric acid.

isodiametric [BIOL] Having equal diameters or dimensions.

isodont [VERT ZOO] 1. Having all teeth alike. 2. Of a snake, having the maxillary teeth of equal length.

isodose curve [NUCLEO] A curve, drawn on a chart of an object, connecting points receiving equal doses of radiation.

isodrosotherm [METEOROL] An isogram of dew-point temperature.

isodulcitol See rhamnose.

isodynamic [MECH] Pertaining to equality of two or more forces or to constancy of a force.

isodynamic line [GEOPHYS] One of the lines on a map of a magnetic field that connect points having equal strengths of the earth's field.

isoelectric [ELEC] Pertaining to a constant electric potential.

isoelectric point [PHYS CHEM] The pH value of the dispersion medium of a colloidal suspension at which the colloidal particles do not move in an electric field.

isoelectric precipitation [CHEM] Precipitation of materials at the isoelectric point (the pH at which the net charge on a molecule in solution is zero); proteins coagulate best at this point.

isoelectronic [ATOM PHYS] Pertaining to atoms having the same number of electrons outside the nucleus of the atom.

isoelectronic sequence [SPECTR] A set of spectra produced by different chemical elements ionized so that their atoms or ions contain the same number of electrons.

ATTACHMENT B - Periodic Table of the Elements

PERIOD

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(1) *Pure Appl. Chem.*, **73**, No. 4, 667-683 (2001)

(1) Pure Appl. Chem., 73, No. 4, 667-683 (2001)

However three such elements (Th, Pa, and U) do have a characteristic terrestrial isotopic composition, and for these an atomic weight is tabulated.

7

Editor: Aditya Vardhan (adivar@netlinx.com)

LANTHANIDE												
57	58	59	60	61	62	63	64	65	66	67	68	69
La	Ce	Pr	Nd	Pm	Sm	Eu	Gd	Tb	Dy	Ho	Er	Tm
LANTHANUM	CERIUM	PRASEODYMIUM	NEODYMIUM	PROMETHIUM	SAMARIUM	EUROPIUM	GADOLINIUM	TERBIUM	DYSPROSIMUM	HOLMIUM	ERBIIUM	THULIUM
138.91	140.12	140.91	144.24	(145)	150.36	151.96	157.25	158.93	162.50	164.93	167.26	168.93
71	72	73	74	75	76	77	78	79	80	81	82	83
Lu	Yb	Tm	Y	Sc	Zr	Nb	Mo	Tc	Ru	Rh	Pd	Au
LUTETIUM	YTTERBIUM	THULIUM	YTIPOSIUM	SCANDIUM	ZIRCONIUM	NIOBIUM	MOLYBDENUM	TECHNETIUM	RUTHENIUM	RHODIUM	PALLADIUM	GOLD
174.97	173.04	172.91	88.906(2)	44.955(1)	91.224(2)	92.906(3)	95.94(1)	98.906(2)	101.07(2)	102.905(5)	106.905(1)	196.966(5)
ACTINIDE												
89	90	91	92	93	94	95	96	97	98	99	100	101
Ac	Th	Pa	U	Np	Pu	Am	Cm	Bk	Cf	Es	Fm	Md
ACTINIUM	THORIUM	PROTACTINIUM	URANIUM	NEPTUNIUM	PLUTONIUM	AMERICIUM	CURIUM	BERKELIUM	CALIFORNIUM	EINSTEINIUM	FERMIUM	MENDELÉVIUM
227	232.04	231.04	238.03	(237)	(244)	(243)	(247)	(247)	(251)	(252)	(257)	(258)
11	12	13	14	15	16	17	18	19	20	21	22	23
Lr	No	Md	Lr	No	Md	Lr	No	Md	Lr	No	Md	Lr
LAWRENCIUM	NOBELIUM	MENDÉLEVIUM	LUTETIUM	NOBELIUM	MENDÉLEVIUM	LUTETIUM	NOBELIUM	MENDÉLEVIUM	LUTETIUM	NOBELIUM	MENDÉLEVIUM	LUTETIUM
262	(259)	(258)	(262)	(261)	(266)	(267)	(271)	(272)	(274)	(277)	(288)	(293)



STEVENS DAVIS
STEVENS DAVIS MILLER MOSHER LLP

March 1, 2006
VIA FACSIMILE - ONE PAGE TOTAL

Thomas P. Pavelko

Attorney at Law
Direct Dial: 202-785-0181
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PERSTORP SPECIALTY CHEMICALS AB
Patent Department
S - 284 80 Perstorp
SWEDEN

Attn: Mr. Ingvar Sylegard

Re: U.S. Patent Application No. 09/920,855
Oliver STANCHFIELD
Your Ref.: C681/Syl - Our Ref.: TPP 31390

Dear Ingvar:

Thank you for your letter of January 27, 2006, providing us with instructions for responding to the Office Action issued in the above-identified application. In accordance with your instructions, we are pleased to report that we have today filed an Amendment in the United States Patent and Trademark Office. It was also necessary for us to prepare and file a Petition for Extension of Time (1 Month), along with payment of the appropriate government fee therefore. Copies of the documents, as filed, are enclosed for your records.

We trust the foregoing is to your satisfaction; however, please do not hesitate to contact me if you have any questions. In the meanwhile, we take this opportunity to enclose our debit note for services rendered.

Very truly yours,

Thomas P. Pavelko

TPP:mat
Enclosures (with confirmation copy)
As noted above

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March 1, 2006

PERSTORP SPECIALTY CHEMICALS

AB

Patent Department

S-284 80 Perstorp

SWEDEN

8769.31390

RE: U.S. Patent Application No. 09/920,855

Oliver STANCHFIELD

Your Ref.: C681/Syl - Our Ref.: TPP 31390

Professional Services

3/1/2006 To services in connection with the above-identified application, including review of your instruction letter of January 27, 2006; preparation and filing of an Amendment and Petition for Extension of Time (1 Month) in the United States Patent and Trademark Office; and report to you thereon

	<u>Amount</u>
Total Services	\$255.00
Disbursements	
Government fee for one month extension of time and additional claims (Check No. 43461)	720.00
To miscellaneous costs and disbursements selected from one or more of the following: postage, facsimile, courier, telephone, PTO courier, services of docket paralegal, etc.	62.00
Total Disbursements	\$782.00
Total Amount of This Bill	\$1,037.00

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TIMESHEET

Client: <u>Persberg</u>	Docket No.: <u>TPP 71790</u>
Client No.: <u>8769</u>	Date: <u>3-1-06</u>

<u>Disbursement</u>	<u>Charges</u>	<u>Quantity/Amount</u>	<u>Total</u>
Check Handling	\$10.00/per check		<u>16</u>
Computer			
Copies	\$0.40/per copy		<u>10</u>
Docketing	\$15.00/per document		<u>15</u>
Paralegal Fee	<u>MAT</u>		<u>75</u>
Fax (U.S.)	\$3.00/per page		
Fax (Foreign)	\$8.00/per page		<u>8</u>
Fed Ex (Euro)	\$65.00		
Fed Ex (Far East)	\$80.00		
Fed Ex (U.S.)	\$30.00		
Fed Ex (Canada)	\$40.00		
Fed Ex (Mexico)	\$35.00		
Foreign Associate			
Government Fees			<u>720</u>
Rick Jordan			
Local Counsel			
Postage			<u>3</u>
PTO Delivery			<u>16</u>
Bob Berg			
Translations			
Travel			
Other:			

Fees: TPP 180 MAT 75 EPR KJW NOW Other: